

September 21, 2018

VIA HAND DELIVERY

The Honorable Copyright Royalty Judges
Copyright Royalty Board, Library of Congress
James Madison Building
101 Independence Avenue, SE
Washington DC 20559-6000

Re: *Distribution of 2015 Satellite Royalty Funds*, No. 17-CRB-0011-SD (2015)

Dear Chief Judge Barnett, Judge Strickler and Judge Feder:

The undersigned are writing on behalf of the Allocation Phase Parties¹ regarding their Motion for Partial Distribution of 2015 Satellite Funds (filed February 17, 2017) (“Motion”). The Allocation Phase Parties respectfully request the prompt resolution of the Motion by the Copyright Royalty Judges (“Judges”).

The Allocation Phase Parties previously wrote to the Judges regarding the Motion on September 25, 2017. Shortly thereafter, the Judges published a notice in the Federal Register soliciting reply comments “that respond to any issues the commenters raised with respect to the [Motion] and that address whether or not any commenter raised a reasonable objection to the proposed partial distribution” *See* *Distribution of 2015 Satellite Royalty Funds*, 82 Fed. Reg. 45624, 45625 (Sept. 29, 2017) (“Notice”). Only two parties have ever raised objections to the Motion: the Multigroup Claimants (“MGC”) and David Powell.

As the Allocation Phase Parties explained in response to the Judges’ Notice, neither MGC nor David Powell raise a reasonable objection to the Motion. *See* Reply Comments of the Allocation Phase Parties, Dkt. No. 17-CRB-0011-SD (2015) (“Reply Comments”).² As we explained then, Mr. Powell’s objection is “virtually incomprehensible and fails to present any reasonable objection to the requested partial distribution.” *Id.* at 1-2. Likewise, MGC’s objection “ignores the long history of satellite distributions to all Allocation Phase Parties, including Program Suppliers and Devotional Claimants” and “fails to articulate any prejudice” because “MGC offers no argument that the 40 percent of funds remaining if the Motion is granted would be insufficient to resolve any viable claims by MGC.” *Id.* at 4.

¹ The Allocation Phase Parties are Program Suppliers, Joint Sports Claimants, Broadcaster Claimants Group, Music Claimants, and Devotional Claimants.

² Program Suppliers and the Devotional Claimants also filed individual reply comments. *See* Devotional Claimants’ Reply to MGC’s Objection to Partial Distribution of 2015 Satellite Royalty Funds to Certain Allocation Phase Claimants, Dkt. No. 17-CRB-0011-SD (2015); Reply Comments of Program Suppliers, Dkt. No. 17-CRB-0011-SD (2015).

The Allocation Phase Parties believe that the Reply Comments fully address and resolve the objections raised by MGC and Mr. Powell, and hereby renew their request for the prompt partial distribution of 60% of the 2015 satellite royalty funds. It has now been more than a year and a half since the parties filed their Motion, and, as the parties stated in their initial request, partial distributions are very important to the budgeting and business operations of the parties and their members.

Sincerely,

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